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AO 93 (Rev. 11/13) Search and Seizure Warrant

OCT 16 2018

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UNITED STATES DISTRICT COURT

for the

Western District of Washington

OCT 15 2018

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In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 Subject Roblox Account [REDACTED]

Case No.

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

MJ18-5037-02

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search
 of the following person or property located in the Northern District of California
 (identify the person or describe the property to be searched and give its location):

The Subject Roblox Account as further described in Attachment A, which is attached hereto and incorporated herein by this reference.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B, which is attached hereto and incorporated herein by this reference.

YOU ARE COMMANDED to execute this warrant on or before 3/1/2018 (not to exceed 14 days)

in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to any U.S. Magistrate Judge
 (United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

for _____ days (not to exceed 30) until, the facts justifying, the later specific date of _____.

Date and time issued: 2/15/2018 10:01 am

DW Christel
Judge's signature

City and state: TACOMA, WASHINGTON

DAVID W. CHRISTEL, U.S. MAGISTRATE JUDGE

Printed name and title

2017R01076

AO 93 (Rev. 12/09) Search and Seizure Warrant (Page 2)

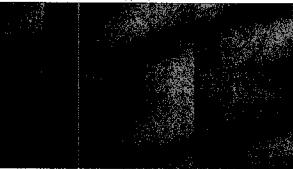
Return		
Case No.: MJ18-5037-02	Date and time warrant executed: 02/15/2018 14:48	Copy of warrant and inventory left with: Roblox
Inventory made in the presence of : SA Natane Adkins		
Inventory of the property taken and name of any person(s) seized: Subject Roblox Account		
1. [Redacted]		
Certification		
I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.		
Date: <u>10/15/18</u>	 <i>Jayme McFarland</i> Executing officer's signature	
<u>Jayme McFarland, Criminal Investigator</u> Printed name and title		

Revs 10/17/18
gmc

1 **ATTACHMENT A - THE SUBJECT ACCOUNTS**

2 **SUBJECT INSTAGRAM ACCOUNTS to be Searched**

3 The electronically stored data, information and communications contained in,
4 related to, and associated with, including all preserved data associated with Instagram
5 LLC accounts:

6 B3stingbeast


7 as well as all other subscriber and log records associated with the account, which are
8 located at premises owned, maintained, controlled or operated by Instagram LLC a social
9 media application provider headquartered at 1601 Willow Road, Menlo Park, California,
10 94025.

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ATTACHMENTS - 1
USAO #2017R01076

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

SUBJECT ROBLOX ACCOUNT to be Searched

The electronically stored data, information and communications contained in, related to, and associated with, including all preserved data associated with Roblox accounts:

as well as all other subscriber and log records associated with the account, which are located at premises owned, maintained, controlled or operated by Roblox, an electronic user-generated multiplayer online social gaming platform provider, headquartered at 60 East Third Avenue, Suite 201, San Mateo, CA 94401.

ATTACHMENTS - 2
USAO #2017R01076

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 **ATTACHMENT B**

2 **SUBJECT INSTAGRAM ACCOUNTS to be Searched**

3 **I. Information to be disclosed**

4 To the extent that the information described in Attachment A related to the
5 SUBJECT INSTAGRAM ACCOUNTS to be Searched is within the possession, custody,
6 or control of Instagram LLC, including any communications, records, files, logs, posts,
7 payment records, or information that has been deleted but is still available to Instagram
8 LLC, or has been preserved pursuant to requests made under 18 U.S.C. § 2703(f),
9 Instagram LLC is required to disclose the following information to the government for
10 each SUBJECT INSTAGRAM ACCOUNT identifier listed in Attachment A:

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1 a. The contents of all communications associated with the account,
2 including stored or preserved copies of content sent to and from the account, draft
3 communications, the source and destination of any communications, the date and time at
4 which the communications were sent;

5 b. All records or other information regarding the identification of the
6 account, to include full name, physical address, telephone numbers and other identifiers,
7 records of session times and durations, the date on which the account was created, the
8 length of service, the IP address used to register the account, log-in IP addresses
9 associated with session times and dates, account status, alternative e-mail addresses
10 provided during registration, methods of connecting, log files, and means and source of
11 payment (including any credit or bank account number);

12 c. The types of service utilized;

13 d. All records or other information stored at any time by an individual
14 using the account, including address books, contact and buddy lists, calendar data,
15 pictures, files, and the contents of any accounts associated with SUBJECT INSTAGRAM
16 ACCOUNTS; and

17 e. All records pertaining to communications between
18 Facebook/Instagram and any person regarding the account, including contacts with
19 support services and records of actions taken.

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1 **II. Information to be seized by the government**

2 All information described above in Section I that constitutes fruits, contraband,
3 evidence, and instrumentalities of violations of 18 U.S.C. § 2251(a) (Production of Child
4 Pornography), 18 U.S.C. § 2252(a)(2) (Receipt or Distribution of Child Pornography),
5 and 18 U.S.C. § 2422(b) (Enticement of a Minor) committed on or after August 1, 2017,
6 including, for each account or identifier listed in Attachment A, information pertaining to
7 the following matters:

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1 a. All messages, documents, and profile information, attachments, or
 2 other data that serves to identify any persons who use or access the account specified, or
 3 who exercise in any way any dominion or control over the specified account;

4 b. Any address lists or “friend”/contact lists associated with the
 5 specified account;

6 c. All images/videos of child pornography, any messages or documents
 7 relating to the transmission of child pornography (including any attachments thereto), and
 8 any profile information from other file- or photo-sharing websites;

9 d. The types of services utilized;

10 e. All messages, documents, attachments and data content relating to or
 11 referencing contact between Morgan Robert Benson, MV1, MV2, and/or any other
 12 minors;

13 f. All subscriber records associated with the specified account,
 14 including name, address, local and long distance telephone connection records, or records
 15 of session times and durations, length of service (including start date) and types of
 16 service utilized, telephone or instrument number or other subscriber number or identity,
 17 including any temporarily assigned network address, and means and source of payment
 18 for such service) including any credit card or bank account number;

19 g. Any and all other log records, including IP address captures,
 20 associated with the specified account; and

21 h. Any records of communications between Instagram LLC, and any
 22 person about issues relating to the account, such as technical problems, billing inquiries,
 23 or complaints from other users about the specified account, including records of contacts
 24 between the subscriber and the provider’s support services, as well as records of any
 25 actions taken by the provider or subscriber as a result of the communications.

26 **Notwithstanding the criminal offenses defined under 18 U.S.C. § 2252 and 2252A or**
 27 **any similar criminal offense, Instagram LLC shall disclose information responsive**
 28 **to this warrant by mailing it to Homeland Security Investigations, Attn: Special**

1 **Agent Jayme McFarland at 1000 Second Ave, Suite 2300, Seattle, WA 98104 or via**
2 **email to Jayme.N.McFarland@ice.dhs.gov.**

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ATTACHMENTS - 7
USAO #2017R01076

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 **CERTIFICATE OF AUTHENTICITY OF DOMESTIC**
 2 **RECORDS PURSUANT TO FEDERAL RULES OF**
 3 **EVIDENCE 902(11) AND 902(13)**

4 I, _____, attest, under penalties of perjury by
 5 the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the
 6 information contained in this certification is true and correct. I am employed by
 7 Instagram LLC, and my title is _____. I am qualified to
 8 authenticate the records attached hereto because I am familiar with how the records were
 9 created, managed, stored, and retrieved. I state that the records attached hereto are true
 10 duplicates of the original records in the custody of Instagram LLC. The attached records
 11 consist of _____ [GENERALLY DESCRIBE RECORDS
 12 (pages/CDs/megabytes)]. I further state that:

13 a. all records attached to this certificate were made at or near the time of the
 14 occurrence of the matter set forth by, or from information transmitted by, a person with
 15 knowledge of those matters, they were kept in the ordinary course of the regularly
 16 conducted business activity of Instagram LLC, and they were made by Instagram LLC as
 17 a regular practice; and

18 b. such records were generated by Instagram LLC'S electronic process or
 19 system that produces an accurate result, to wit:

20 1. the records were copied from electronic device(s), storage
 21 medium(s), or file(s) in the custody of Instagram LLC in a manner to ensure that they are
 22 true duplicates of the original records; and

1 2. the process or system is regularly verified by Instagram LLC, and at
2 all times pertinent to the records certified here the process and system functioned
3 properly and normally.
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5 I further state that this certification is intended to satisfy Rules 902(11) and
6 902(13) of the Federal Rules of Evidence.
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11 Date

Signature

1 **SUBJECT ROBLOX ACCOUNT TO BE SEARCHED**

2 **I. Information to be disclosed**

3 To the extent that the information described in Attachment A related to the MV
4 ROBLOX ACCOUNT to be searched is within the possession, custody, or control of
5 Roblox, including any communications, records, files, logs, posts, payment records, or
6 information that has been deleted but is still available to Roblox, or has been preserved
7 pursuant to requests made under 18 U.S.C. § 2703(f), Roblox is required to disclose the
8 following information to the government for the MV ROBLOX ACCOUNT identifiers
9 listed in Attachment A:

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1 a. The contents of all communications associated with the account,
2 including stored or preserved copies of content sent to and from the account, draft
3 communications, the source and destination of any communications, the date and time at
4 which the communications were sent;

5 b. All records or other information regarding the identification of the
6 account, to include full name, physical address, telephone numbers and other identifiers,
7 records of session times and durations, the date on which the account was created, the
8 length of service, the IP address used to register the account, log-in IP addresses
9 associated with session times and dates, account status, alternative e-mail addresses
10 provided during registration, methods of connecting, log files, and means and source of
11 payment (including any credit or bank account number);

12 c. The types of service utilized;

13 d. All records or other information stored at any time by an individual
14 using the account, including address books, contact and buddy lists, calendar data,
15 pictures, files, and the contents of any accounts associated with the MV ROBLOX
16 ACCOUNT; and

17 e. All records pertaining to communications between Roblox and any
18 person regarding the account, including contacts with support services and records of
19 actions taken.

1 **II. Information to be seized by the government**

2 All information described above in Section I that constitutes fruits, contraband,
3 evidence, and instrumentalities of violations of 18 U.S.C. § 2251(a) (Production of Child
4 Pornography), 18 U.S.C. § 2252(a)(2) (Receipt or Distribution of Child Pornography),
5 and 18 U.S.C. § 2422(b) (Enticement of a Minor) committed on or after August 1, 2017,
6 including, for each account or identifier listed in Attachment A, information pertaining to
7 the following matters:

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1 a. All messages, documents, and profile information, attachments, or
 2 other data that serves to identify any persons who use or access the account specified, or
 3 who exercise in any way any dominion or control over the specified account;

4 b. Any address lists or "friend"/contact lists associated with the
 5 specified account;

6 c. All images/videos of child pornography, any messages or documents
 7 relating to the transmission of child pornography (including any attachments thereto), and
 8 any profile information from other file- or photo-sharing websites;

9 d. The types of services utilized;

10 e. All messages, documents, attachments and data content relating to or
 11 referencing contact between Morgan Robert Benson, MV1, MV2, and/or any other
 12 minors;

13 f. All subscriber records associated with the specified account,
 14 including name, address, local and long distance telephone connection records, or records
 15 of session times and durations, length of service (including start date) and types of
 16 service utilized, telephone or instrument number or other subscriber number or identity,
 17 including any temporarily assigned network address, and means and source of payment
 18 for such service) including any credit card or bank account number;

19 g. Any and all other log records, including IP address captures,
 20 associated with the specified account; and

21 h. Any records of communications between Roblox, and any person
 22 about issues relating to the account, such as technical problems, billing inquiries, or
 23 complaints from other users about the specified account, including records of contacts
 24 between the subscriber and the provider's support services, as well as records of any
 25 actions taken by the provider or subscriber as a result of the communications.

26 **Notwithstanding the criminal offenses defined under 18 U.S.C. § 2252 and 2252A or**
 27 **any similar criminal offense, Roblox shall disclose information responsive to this**
 28 **warrant by mailing it to Homeland Security Investigations, Attn: Special Agent**

1 **Jayme McFarland at 1000 Second Ave, Suite 2300, Seattle, WA 98104 or via email**
2 **to Jayme.N.McFarland@ice.dhs.gov.**

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ATTACHMENTS - 14
USAO #2017R01076

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 533-7970

1 **CERTIFICATE OF AUTHENTICITY OF DOMESTIC**
 2 **RECORDS PURSUANT TO FEDERAL RULES OF**
 3 **EVIDENCE 902(11) AND 902(13)**

4 I, _____, attest, under penalties of perjury by
 5 the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the
 6 information contained in this certification is true and correct. I am employed by
 7 ROBLOX, and my title is _____. I am qualified to
 8 authenticate the records attached hereto because I am familiar with how the records were
 9 created, managed, stored, and retrieved. I state that the records attached hereto are true
 10 duplicates of the original records in the custody of ROBLOX. The attached records
 11 consist of _____ [GENERALLY DESCRIBE RECORDS
 12 (pages/CDs/megabytes)]. I further state that:

13 a. all records attached to this certificate were made at or near the time of the
 14 occurrence of the matter set forth by, or from information transmitted by, a person with
 15 knowledge of those matters, they were kept in the ordinary course of the regularly
 16 conducted business activity of ROBLOX, and they were made by ROBLOX as a regular
 17 practice; and

18 b. such records were generated by ROBLOX'S electronic process or system
 19 that produces an accurate result, to wit:

20 1. the records were copied from electronic device(s), storage
 21 medium(s), or file(s) in the custody of ROBLOX in a manner to ensure that they are true
 22 duplicates of the original records; and

1 2. the process or system is regularly verified by ROBLOX, and at all
2 times pertinent to the records certified here the process and system functioned properly
3 and normally.
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5 I further state that this certification is intended to satisfy Rules 902(11) and
6 902(13) of the Federal Rules of Evidence.
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11 Date

12 Signature

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